

VILLAGE OF HAMERSVILLE, OHIO

ORDINANCE NO. 2026-09

AN ORDINANCE REGULATING GRASS, WEEDS, AND OTHER OVERGROWN VEGETATION; DECLARING NUISANCES; ESTABLISHING ADMINISTRATIVE, CIVIL, AND CRIMINAL ENFORCEMENT MECHANISMS; AND REPEALING PRIOR INCONSISTENT ORDINANCES

WHEREAS, excessive grass, weeds, and overgrown vegetation pose risks to public health, safety, and welfare; and

WHEREAS, such conditions harbor pests, obstruct utilities and infrastructure, create visibility hazards, and negatively impact neighboring properties and property values; and

WHEREAS, the Village desires to consolidate and supersede prior grass and weed regulations;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Hamersville, State of Ohio:

SECTION 1 — DEFINITIONS

Grass/Weeds — All rank vegetation including grasses, weeds, brush, vines, or uncultivated plant growth.

Nuisance Growth — Grass, weeds, or vegetation exceeding twelve (12) inches in height.

Overgrown Vegetation — Any vegetation, brush, limbs, vines, or growth that obstructs access, creates unsafe conditions, impairs visibility, or interferes with utility infrastructure regardless of height.

SECTION 2 — PROHIBITED CONDITIONS/ EXCLUSIONS

Weather exclusion being an issue which may inhibit and owner/tenant from compliance with this ordinance, resident safety is of the utmost importance to the village.

No owner or occupant shall permit grass, weeds, or vegetation to exceed twelve (12) inches.

No person shall allow vegetation that harbors pests, creates hazards, obstructs sidewalks or streets, or impairs visibility for pedestrians or motorists.

No owner or occupant shall permit grass clippings, weeds, leaves, brush, or other yard debris to be blown, swept, deposited, or otherwise placed onto sidewalks, streets, alleys, roadways, storm drains, or other public rights-of-way.

Any accumulation of grass clippings, leaves, or debris on public sidewalks or roadways resulting from mowing, trimming, landscaping, or property maintenance activities is prohibited and shall constitute a violation of this Ordinance.

Any lot, parcel, or tract of land located within the village that does not contain a dwelling, or principal structure, shall be maintained free of nuisance growth for a minimum of twenty (20) feet from the of any public roadway or street right of way adjoining property.

For corner lots or parcels situated at the intersection of two (2) or more streets, owners shall additionally maintain a clear line of sight area extending twenty (20) feet along each roadway frontage from the intersection to preserve visibility for motorists, pedestrians, and emergency vehicles.

Nothing in this section shall prohibit the maintenance of agricultural crops lawfully grown on property zoned or used for agricultural purposes where otherwise permitted by law.

No owner or occupant shall permit vegetation, brush, weeds, limbs, or debris to obstruct or hinder access to water meters, electric meters, sewer access points, sewer crocks, utility poles, hydrants, easements, drainage infrastructure, or any public utility or municipal infrastructure.

Failure to maintain clear access shall constitute a violation regardless of vegetation height.

SECTION 3 — PUBLIC NUISANCE

Any violation of this Ordinance is hereby declared to be a public nuisance subject to enforcement, abatement, administrative citation, civil penalties, and criminal prosecution.

SECTION 4 — NOTICE OF VIOLATION

Written notice shall be issued to the property owner, occupant, or responsible party.

Correction timeframe shall be no less than five (5) days and no greater than seven (7) days from the date of service.

Service may be made by posting, regular mail, certified mail, personal delivery, door hanger, or any combination thereof reasonably calculated to provide notice.

SECTION 5 — ADMINISTRATIVE CITATIONS

Administrative citations may be issued for violations of this Ordinance as follows:

First offense: \$50

Second offense: \$75

Third and subsequent offenses: \$100

Each day a violation continues after notice and expiration of the correction period may constitute a separate offense.

Payment of an administrative citation does not eliminate the underlying violation or prevent additional enforcement action. If the violation is not corrected within the five (5) to seven (7) day correction period provided in the Notice of Violation, enforcement shall automatically proceed to criminal prosecution as provided in Section 8 of this Ordinance without further notice being required.

SECTION 6 — ACCESS TO UTILITIES

Property owners and occupants shall maintain all grass, weeds, and vegetation so as not to obstruct access to utility meters, sewer access points, sewer crocks, hydrants, poles, easements, drainage structures, or other municipal or utility infrastructure.

Village personnel or utility providers may enter property as permitted by law to restore access if necessary.

SECTION 7 — ABATEMENT

The Village may enter upon the property, remove or cut vegetation, restore access to infrastructure, and otherwise abate the nuisance.

All costs incurred by the Village may be billed to the property owner and, if unpaid, certified as a lien or special assessment in the manner permitted by law.

SECTION 8 — CIVIL AND CRIMINAL PENALTIES

In addition to administrative citations and abatement remedies, any person who fails to correct a violation within the notice period provided under Section 4 shall be guilty of an unclassified misdemeanor for a first offense. Subsequent offenses may be prosecuted as a minor misdemeanor or other classification permitted by Ohio law.

Each day the violation continues after expiration of the correction period may constitute a separate criminal offense.

The Village may pursue administrative, civil, criminal, and abatement remedies simultaneously or separately.

SECTION 9 — REPEAL OF PRIOR ORDINANCES

Ordinance Numbers 1988-07, 1993-15, 2001-14, 2003-08, 2004-06, 2010-09, and 2025-03, and all inconsistent portions of prior ordinances or resolutions relating to grass, weeds, nuisances, or vegetation maintenance, are hereby repealed and superseded by this Ordinance.

SECTION 10 — SEVERABILITY

If any section, subsection, sentence, clause, or provision of this Ordinance is declared invalid, the remaining portions shall remain in full force and effect.

SECTION 11 — EFFECTIVE DATE

This Ordinance shall take effect and be in force at the earliest period allowed by law.

First Reading: May 4, 2026

Second Reading: May 20, 2026

Passed: June 22, 2026

Just Jones

Mayor

Melissa J. Zahn

Fiscal Officer